

102D CONGRESS
2d Session

SENATE

REPORT
102-387

**CERTIFICATE OF DOCUMENTATION FOR THE
VESSEL "BAY LADY"**

Mr. HOLLINGS, from the Committee on Commerce, Science,
and Transportation, submitted the following

R E P O R T

OF THE

**SENATE COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION**

ON

S. 2816



AUGUST 12 (legislative day, AUGUST 5), 1992.—Ordered to be printed

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WASHINGTON : 1992

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CERTIFICATE OF DOCUMENTATION FOR THE VESSEL
"BAY LADY"

AUGUST 12 (legislative day, AUGUST 5), 1992.—Ordered to be printed

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 2816]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 2816) to authorize a certificate of documentation for the research vessel *Bay Lady*, having considered the same, reports favorably thereon and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 2816, as reported, grants coastwise trading and fisheries privileges to the vessel *Bay Lady*.

BACKGROUND AND NEEDS

Subject to certain limitations, the law known as the Jones Act (section 27 of the Merchant Marine Act, 1920), together with sections 12106, 12107, and 12108 of title 46, U.S. Code, provides that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the fisheries of the United States.

Where the facts applicable to a particular vessel suggest that the U.S.-built or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document granting coastwise trading or fisheries privileges for that vessel unless the requirements of the Jones Act and title 46 are statutorily waived.

The vessel *Bay Lady*, U.S. Official No. 944634, is a recreational vessel that was built in Holland, MI, in 1972. The vessel was pur-

chased by Mr. Edwin W. Ruark of Deltaville, VA, in 1977. Mr. Ruark purchased the vessel with the intention of using it for small fishing charters.

Because the owner cannot present proof of continuous ownership by U.S. citizens, he has not been able to obtain coastwise trade and fisheries privileges for the *Bay Lady*. Therefore, he is seeking a statutory waiver of the Jones Act for the vessel.

LEGISLATIVE HISTORY

S. 2816 was introduced in the Senate on June 9, 1992, by Senator Robb. In open executive session on June 16, 1992, the Committee considered S. 2816 and ordered the legislation reported favorably without objection and without amendment.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 22, 1992.

Hon. ERNEST F. HOLLINGS,
Chairman, Committee on Commerce, Science, and Transportation,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN The Congressional Budget Office has reviewed S. 2816, a bill to authorize a certificate of documentation for the vessel *Bay Lady*, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on June 16, 1992. Enactment of S. 2816 would not result in any cost to the federal government or to state or local governments.

Enactment of S. 2816 would not affect direct spending or receipts. Therefore pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226-2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATION IMPACT STATEMENT

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 2816 does not create any new programs, the legislation will have no additional regulatory impact and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal

privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

The bill consists of one section. It provides that, notwithstanding sections 12106, 12107, and 12108 of title 46, U.S. Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S. 883), as applicable on the date of the enactment of this legislation, the vessel *Bay Lady*, U.S. Official No. 944634, is eligible to engage in the coastwise trade and commercial fisheries, and the Secretary of Transportation may issue a certificate of documentation for the vessel.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

